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ATTORNEY GENERAL OF NEW JERSEY  
R. J. Hughes Justice Complex  
P.O. Box 116  
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Attorney for Defendants,

Hon. Hany A. Mawla, J.A.D., Hon. Lisa Rose, J.A.D., Hon. Douglas M. Fasciale, J.A.D., Hon. Kimaire Rahill, P.J.Fam., Hon. Kevin M. Shanahan, P.J.Cr., Hon. Bradford Bury, J.S.C., Hon. Kathy Qasim, J.S.C., Hon. Michael J. Rogers, J.S.C., Cederic Howard, Nicole Barracano, and Acting A.P. Karyn R. Weingarten

By: Ashley L. Costello  
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STEPHANIE J. MESSNER,	:	UNITED STATES DISTRICT COURT
	:	FOR THE DISTRICT OF
Plaintiff,	:	NEW JERSEY
	:	VICINAGE OF TRENTON
v.	:	
	:	Hon. Freda L. Wolfson, U.S.D.J.
KARYN R. WEINGARTEN, in her	:	
official capacity of Union	:	Hon. Lois H. Goodman, U.S.M.J.
County Assistant Union County	:	
Prosecutor, et al.,	:	CIVIL ACTION NO. 3:19-cv-15752
	:	
Defendants.	:	<u>NOTICE OF MOTION TO DISMISS</u>
	:	<u>PLAINTIFF'S COMPLAINT WITH</u>
	:	<u>PREJUDICE PURSUANT TO FED. R.</u>
	:	<u>CIV. P. 12(b)(1) AND 12(b)(6) ON</u>
	:	<u>BEHALF OF STATE DEFENDANTS</u>
	:	
	:	(ELECTRONICALLY FILED)

TO: United States District Court  
District of New Jersey - Trenton Vicinage  
Clarkson S. Fisher Building  
& U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Stephanie J. Messner  
447 4<sup>th</sup> Avenue  
Garwood, NJ 07027

PLEASE TAKE NOTICE that on Monday, January 6, 2020, or as soon thereafter as counsel may be heard, the undersigned, Gurbir S. Grewal, Attorney General of New Jersey, by Ashley L. Costello, Deputy Attorney General, on behalf of Defendants Hon. Douglas M. Fasciale, J.A.D., Hon. Hany A. Mawla, J.A.D., Hon. Lisa Rose, J.A.D., Hon. Kimaire Rahill, P.J.Fam., Hon. Kevin M. Shanahan, P.J.Cr., Hon. Bradford Bury, J.S.C., Hon. Kathy Qasim, J.S.C., Hon. Michael J. Rogers, J.S.C., Cederic Howard, Nicole Barracano, and A.P. Karyn R. Weingarten, ("State Defendants"), shall move before the Honorable Freda L. Wolfson, U.S.D.J., pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) for an Order dismissing Plaintiff's Complaint as to State Defendants, *with prejudice*.

State Defendants shall rely on the within Brief being filed with this Notice of Motion, in support of this motion.

It is respectfully requested that the Court rule upon the moving papers submitted, without requiring appearance of counsel, pursuant to Fed. R. Civ. P. 78. A proposed form of Order is attached hereto.

Respectfully submitted,

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Ashley L. Costello  
Ashley L. Costello (107192015)  
Deputy Attorney General

DATED: November 29, 2019